

EXHIBIT 3

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CONFIDENTIAL
VIA E-MAIL

Damian Williams
United States Attorney
United States Attorney's Office
Southern District of New York
26 Federal Plaza, 37th Floor
New York, New York 10278

Re: *United States v. Eric Adams* – 24 Cr. 556 (DEH)

Dear Mr. Williams:

We write regarding our concern that the prosecution team assigned to this matter has leaked grand jury material and other confidential information to the media. As you know, the Mayor's counsel wrote to your office on June 7 and August 13 regarding concerns about media leaks. Given the number of leaks, the clear violation of Rule 6(e), and the prejudice to our client, counsel requested that your office conduct an internal investigation into the source of these leaks and take remedial actions as appropriate. You have not yet responded to either of the letters, and when counsel re-raised our concerns on a phone call with the prosecution team on August 20, 2024, they summarily dismissed the concerns.

Unfortunately, the leaks have persisted, and it has become even more apparent that the source is the prosecution team. Most egregiously, on September 25—before the indictment was unsealed and even before the Mayor's counsel was notified of the indictment—the *New York Times* reported that the Mayor “has been indicted in a federal corruption investigation, people with knowledge of the matter said,” and that “[f]ederal prosecutors were expected to announce more details on Thursday.”¹ Plainly, the source of this leaked information is the prosecution team, since

¹ See William K. Rashbaum et al., Eric Adams Is Indicted After Federal Corruption Investigation, *The New York Times* (Sept. 25, 2024), <https://www.nytimes.com/2024/09/25/nyregion/eric-adams-indicted.html>.

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neither a grand juror nor the court staff would be privy to the government's plan to announce more details the next day.

Similarly, on August 15, the *New York Times* reported on the issuance of “a new round of grand jury subpoenas” to “Mr. Adams himself, to City Hall and to his election committee, according to four people with knowledge of the matter,” adding that “[t]he subpoenas contain similar language and seek information in a number of areas, including travel by the mayor, his aides and others, as well as fund-raising.”² It is self-evident that only members of the prosecution team had knowledge of all of these subpoenas, including the specific language used.

As another example, on September 23, the *New York Times* reported that prosecutors from your office had expanded the scope of the criminal investigation to encompass Mayor Adams's alleged interactions with countries other than Turkey, and that the grand jury had issued subpoenas seeking information related to these additional countries.³ While the subpoenas had been issued months prior, their scope had not previously been reported, and the timing of this article (just days before your office announced formal charges) is highly problematic. The repeated and escalating leaks have resulted in intense negative publicity and, in recent days, growing calls for Mayor Adams to step down—all before there was even a formal criminal accusation against him. At this point, the leaks also threaten to undermine the integrity of the judicial process and to prejudice Mayor Adams's trial rights.

Based on your failure to respond to our prior letters, we assume your office has not undertaken an internal investigation, as would be appropriate in these circumstances. This decision is especially troubling given the similarities between this investigation and your office's investigation of Billy Walters, where your office initially refused to conduct a leak investigation and where the court expressed serious concerns after the full extent of the leaks was revealed.⁴ As a result, and to protect our client's rights, Mayor Adams will be seeking recourse from the Court.

Sincerely,

/s/ Alex Spiro

Alex Spiro

² See William K. Rashbaum et al., Eric Adams and His Campaign Receive Subpoenas in Federal Investigation, *The New York Times* (Aug. 15, 2024), <https://www.nytimes.com/2024/08/15/nyregion/eric-adams-fbi-investigation.html>.

³ See William K. Rashbaum et al., U.S. Inquiry Into N.Y. Mayor's Foreign Ties Said to Include 6 Countries, *The New York Times* (Sept. 23, 2024), <https://www.nytimes.com/2024/09/23/nyregion/fbi-adams-qatar-israel-china-uzbekistan-korea.html>.

⁴ See *United States v. Walters*, No. 16-CR-338 (PKC), 2017 WL 11434158, at *10 (S.D.N.Y. Mar. 1, 2017).